

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

(i) URGENT IMPLEMENTATION OF DECISIONS

RECOMMENDATION: That the Urgency decisions detailed below be noted.

Information

1. The Constitution allows a Cabinet or Cabinet Member decision to be implemented before the expiry of the 5 day call-in provided there is agreement from the Chief Executive and the Chairman of the Executive Scrutiny Committee to waive this. All such decisions are to be reported for information only to the next full Council meeting.
2. Since those noted at the 22 November 2018 Council meeting, the following decisions have been made using urgency procedures:

| Date of Decision | Decision Type / Nature of Decision | Decision-Maker |
|------------------|--|--|
| 21/11/2018 | Environmental and Recreational Initiatives 2018/19: Works to the road approaching the Uxbridge Early Years Centre, off Chippendale Way and conversion of the disused hard play area parallel to the centre into a controlled car park. | Leader of the Council and Cabinet Member for Finance, Property and Business Services |
| 27/11/2018 | Appointment of a scaffolding contractor at the Grade 2 Listed The Dower House, Harlington, to protect it from further deterioration. | Leader of the Council and Cabinet Member for Finance, Property and Business Services |
| 28/11/2018 | Housing Revenue Account Major Adaptations to Property 2018/19 - No 10 – works to various properties to assist residents with disabilities. | Leader of the Council and Cabinet Member for Finance, Property and Business Services |
| 13/12/2018 | Renewal of Microsoft System Center Configuration Manager Software to support the Council's technology. | Leader of the Council and Cabinet Member for Finance, Property and Business Services |
| 14/12/2018 | HRA Adaptations Release 11 – funding release for works to an individual property to assist a resident with disabilities. | Leader of the Council and Cabinet Member for Finance, Property and Business Services |
| 14/12/2018 | HRA Adaptations Release 12 - funding release for works to an individual property to assist a resident with disabilities. | Leader of the Council and Cabinet Member for Finance, Property and Business Services |
| 20/12/2018 | Housing Revenue Account New General Needs Housing Stock (Housing Buy-Back Scheme) Release No 6 – purchase of various properties in the Borough to supplement affordable housing. | Leader of the Council and Cabinet Member for Finance, Property and Business Services |

| Date of Decision | Decision Type / Nature of Decision | Decision-Maker |
|------------------|---|--|
| 03/01/2019 | Housing Revenue Account Works to Stock Programme 2018/19: Colne Park fencing repairs and replacement of missing fencing around the Park and adjacent to British Airways land. | Leader of the Council and Cabinet Member for Finance, Property and Business Services |

Background Papers: Decision Notices

ii) **PROGRAMME OF MEETINGS 2019/20**

RECOMMENDATION: That the timetable of meetings for 2019/20 as set out in Appendix A, be approved and the Head of Democratic Services in consultation with the Chief Whip of the Majority Party be authorised to make any amendments that may be required throughout the course of the year.

Members should note that during the course of the year meeting times and dates of some meetings may change or additional meetings may be called in order for the effective conduct of the council's business.

Background Papers: None

(iii) **REVIEW OF COUNCIL CONSTITUTION - RESIDENTS SERVICES SCHEME OF DELEGATIONS - SCHEDULE OF MATTERS WHICH WILL BE REPORTED TO COMMITTEE FOR DETERMINATION**

RECOMMENDATIONS: That

a) the Schedule of Matters to be reported to Planning Committees, as contained in the Residents Services Scheme of Delegations be amended as shown below (in *bold italics*):

- a) All applications for which petitions of 20 or more signatures or 20 or more separate written responses have been received.
- b) Authorisation and issue of Enforcement Notices and Breach of Condition Notices under the Town and Country Planning Act & Planning and Compensation Act.
- c) Any application where the Ward Councillor requests, in writing to the Head of Planning, Transportation & Regeneration within 21 days of the publication of the relevant weekly list of applications received by the Council, that it be determined by a Committee. ***The Ward Councillor must include in their request***
 - i) ***the valid planning reasons why they wish the application to be determined by Committee and their desired outcome for the application.***
 - ii) ***Should the desired outcome subsequently be in accord with the Officer's Recommendation then the application will not be referred to Committee.***

Determination of what constitutes a valid planning reason, and thus a valid referral, will be made by the Head of Planning, Transportation & Regeneration in consultation with the relevant Planning Committee Chairman. In exceptional circumstances, as determined by the Head of Planning, Transportation & Regeneration the 21 day rule may be waived.

- d) All telecommunication mast applications where the statutory time constraints allow for determination.
- e) Personal planning applications from Councillors and Chief Officers and officers directly involved in the processing of planning applications (excludes certificates of existing and proposed lawful use).
- f) ***Sites where enforcement action has been agreed by Committee has been taken and where the development that is the subject of the planning application, relates directly to the subject of the enforcement action agreed by Committee.***

ADDITIONALLY, APPLICATIONS IN THE FOLLOWING CATEGORIES SHALL BE REPORTED TO COMMITTEE FOR DETERMINATION BUT ONLY WHERE THE OFFICER RECOMMENDATION IS FOR APPROVAL: -

Addition: ***Permission in Principle applications, but only where the statutory time constraints allow for determination by Committee.***

- b) **the Scheme of Planning Delegations be amended by the deletion of the reference to the determination of applications for Conservation Area Consent for demolition in Conservation Areas.**
- c) **the Terms of Reference for the Planning Committees be amended to remove the following:**
 - **To approve the Council's response to development proposals not requiring planning applications for example, from Government Departments or adjoining local authorities.**
 - **To adopt supplementary planning guidance specific to the area.**

Information

1. Recommendation a): Members will be aware that the Scheme of Delegations relating to the determination of planning matters within the authority includes a provision for Ward Councillors to have an application 'called-in' for determination by the appropriate Planning Committee even if that application would normally have been dealt with by officers under delegated authority.
2. It is recommended that this provision should be exercised in a similar manner to that in relation to Licensing applications where the Ward Councillor must provide valid reasons for the request for referral.
3. The proposed amendment to f) above, is designed to address the problem of officers having to refer applications to Committee on matters that have nothing to do with earlier enforcement action.

4. The Council has not actually determined a 'Permission in Principle' application yet (one was lodged, then withdrawn). However, if one is received then the authority has only 56 days to determine it, hence it would seem prudent to apply the same referral criteria as telecom masts (d).
5. Recommendation b): Applications for Conservation Area Consent for demolition in Conservation Areas no longer exist and, therefore, it is prudent to remove this reference from the scheme of delegation.
6. Recommendation c): these are functions of the Cabinet and therefore should be removed from the Terms of Reference.

Legal Implications.

The changes proposed are procedural in nature and appropriate for Council to determine. Should representations be made by a Ward Councillor, it is perfectly in order for the Council to adopt the proposed procedure for those representations to be heard by the Committee.

Financial Implications.

None arising from this report.

BACKGROUND PAPERS: None

(iv) LOCAL GOVERNMENT BOUNDARY COMMISSION REVIEW OF ELECTORAL ARRANGEMENTS

1. Introduction

- 1.1 Members will recall that the Local Government Boundary Commission for England (LGBCE) is undertaking a review of the London Borough of Hillingdon's local government electoral arrangements. The outcome of the review will be implemented for the May 2022 Council elections.
- 1.2 The purpose of an electoral review is to consider the:
 - number of Councillors elected to the Council,
 - number & names of wards,
 - ward boundaries and
 - number of Councillors per ward.
- 1.3 The purpose of this report is to update Members with progress of the review and to outline the next stage.

RECOMMENDATIONS: That

- a) **the warding arrangements as proposed by the LGBCE be noted.**
- b) **the Head of Democratic Services, in consultation with the Leader of the Council, be authorised to submit comments on the LGBCE proposals to the LGBCE by 18 March 2019 for the composition, size and name of wards for the London Borough of Hillingdon from May 2022 onwards.**

2. Background

- 2.1 Periodically the LGBCE will conduct a review of all local authority electoral arrangements using the following statutory criteria:-
- The need to secure electoral equality (a consistent number of electors per Councillor)
 - Community identity (strong ward boundaries that reflect communities); and
 - Securing effective and convenient local government (coherent wards)
- 2.2 The current LBH electoral arrangements were established after the previous review in 1999 and resulted in 22 wards and 65 Councillors.

3. Review Stages 1&2

- 3.1 At the meeting of full Council on 13 September 2018, Members noted that the first, or preliminary, stage of the current review had resulted in the LGBCE being minded to recommend that, w.e.f May 2022, the Council size will be 53 Members.
- 3.2 Council authorised the Head of Democratic Services, in consultation with the Leader of the Council, to submit proposals for consideration to the LGBCE by 5 November 2018 for the composition, size and name of wards for the London Borough of Hillingdon from May 2022 onwards.
- 3.3 At the meeting of full Council on 22 November 2018, Members noted details of the submission made. The Council's submission, along with all others received can be found on line at:
<http://www.lgbce.org.uk/all-reviews/greater-london/greater-london/hillingdon>

4. Next Steps

- 4.1 On 8 January 2019, the Commission produced a first set of draft recommendations based on their consideration of all the submissions received. This is now subject to a second period of consultation which lasts until 18 March 2019 and which, again, will be open to all interested parties within the Borough to respond.
- 4.2 The proposals of the LGBCE are shown in the map at Appendix B and are based on a warding pattern comprising:
- Twelve, three-Member wards:
 - Belmore,
 - Colham and Cowley,
 - Eastcote,
 - Hayes Town,
 - Hillingdon East
 - Ickenham and South Harefield
 - Pinkwell,
 - Ruislip,
 - South Ruislip,
 - Uxbridge
 - West Drayton and
 - Wood End

- Eight, two-Member wards:
 - Barnhill,
 - Charville,
 - Heathrow Villages,
 - Hillingdon West,
 - Northwood,
 - Northwood Hills,
 - Ruislip Manor and
 - Yiewsley

- One, one-Member ward
 - Harefield Village

4.3 It is recommended that the Head of Democratic Services, in consultation with the Leader of the Council, be authorised to give due consideration to the proposals of the LGBCE and make a further submission on behalf of the Council.

4.4 A final decision will then be expected in June 2019 for implementation at the Council elections in May 2022.

FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report. The decision of the LGBCE to reduce the number of elected Members to 53 will result in financial implications in 2022. The scale of these implications will not be quantified fully until the completion of the review.

LEGAL IMPLICATIONS

The Local Democracy, Economic Development and Construction Act 2009 sets out the duty placed on the LGBCE to undertake an electoral review of every principal local authority in England 'from time to time'. Decisions regarding electoral arrangements in the Borough are reserved to Full Council.

BACKGROUND PAPERS: None

Appendix A – Programme of Meetings 2019/20

2020

| MEETING (and start time) | May | June | July | Aug' | Sept' | Oct' | Nov' | Dec' | Jan' | Feb' | Mar' | April | May |
|---|-------------|------|------|------|-------|------|------|------|------|------|------|-----------|------------|
| COUNCIL (7.30pm) | 9 (AGM)* | | 4 | | 12 | | 21 | | 16 | 20 | | | 7 (AGM) |
| Whips Meeting (5pm) | | | 2 | | 10 | | 19 | | 14 | 18 | | | |
| CABINET (7pm) | 23 | 20 | 25 | | 26 | 24 | 14 | 12 | 23 | 13 | 12 | 23 | 21 |
| Petition Hearings with the Cabinet Member for Planning, Transportation & Recycling (7pm) | 22 | 12 | 10 | | 11 | 9 | 13 | 10 | 15 | 12 | 11 | 15 | 13 |
| Petition Hearings with the Cabinet Member for Finance, Property & Business Services (7pm) | | 25 | | | 24 | | 26 | | 29 | | 24 | | |
| Petition Hearings with other Cabinet Members (dates & times tbc) | | | | | | | | | | | | | |
| Central & South Planning Committee (7pm) | 2 | 4 | 2 | 6 | 3 | 2 | 6 | 4 | 8 | 5 | 4 | 8 | 6 |
| North Planning Committee (7pm) | 15 | 19 | 17 | 21 | 18 | 16 | 20 | 11 | 22 | 19 | 18 | 22 | 20 |
| Major Applications Committee (6pm) | 15 | 19 | 17 | 21 | 18 | 16 | 20 | 11 | 22 | 19 | 18 | 22 | 20 |
| Major Applications Sub-Committee (HS2) (dates & times tbc) | | | | | | | | | | | | | |
| Pensions Committee (5pm) | | | 24 | | | 30 | | | 22 | | 18 | | |
| Audit Committee (5.10pm) | | | 22 | | | 17 | | | | 3 | | 23 | |
| Health & Wellbeing Board (2.30pm) | | 25 | | | 24 | | | 3 | | | 2 | | |
| Health & Wellbeing Board Working Group (dates tbc) | | | | | | | | | | | | | |
| Licensing Committee (10am) | | | 11 | | | 14 | | | 14 | | | 9 | |
| Licensing Sub-Committee (10am) (dates tbc) | | | | | | | | | | | | | |
| Executive Scrutiny Committee (7.15 pm or at the rising of Cabinet) | 23 | 20 | 25 | | 26 | 24 | 14 | 12 | 23 | 13 | 12 | 23 | 21 |
| Social Care, Housing and Public Health Policy Overview Committee (7pm) | | 12 | 31 | | 25 | 23 | 27 | | 15 | 6 | 25 | 16 | |
| Residents, Education & Environmental Services Policy Overview Committee (7pm) | | 26 | 18 | | 4 | 15 | 4 | | 21 | 25 | 19 | 14 | |
| Corporate Services, Commerce & Communities Policy Overview Committee (7:30pm) | | 18 | 23 | | 19 | 10 | 5 | | 14 | 4 | 4 | 7 | |
| External Services Select Committee (6pm) | | 12 | 9 | | 5 | 9 | 7 | | 14 | 11 | 26 | 29, 30 | |
| Standards Committee (7pm) | | 3 | | | 2 | | | 9 | | | 3 | | |
| Registration & Appeals Committee (dates / times tbc) | | | | | | | | | | | | | |
| Hillingdon SACRE (5.30pm) | | 6 | | | | | 7 | | | | 26 | | |